

FILED  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.

★ APR 30 2024 ★

BROOKLYN OFFICE

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NEW YORK  
JAMES BAXTON

Plaintiff

- Against -

~~██████████ ██████████ ██████████~~Federal Bureau of Prisons;  
John/Jane Doe Director  
of Bureau of Prisons;  
Former Correction Officers  
Jeremy Monk, Quondo Joseph  
ET AL.

Defendants

"COVER LETTER"

REC'D IN PRO SE OFFICE  
APR 30 '24 AM 11:57

AMENDED

42 U.S.C. § 1983

24-CV-1925 (LTS)

TRANSFER ORDER

RENAMED:

BIVENS ACTIONS

28 U.S.C. § 1331

(2), JURY TRIAL

Demanded

NAME OF PLAINTIFF: JAMES BAXTON

NAME OF DEFENDANT: THE UNITED STATES

NAME OF DEFENDANT: FEDERAL BUREAU OF  
PRISONS John/Jane Doe Director of B.O.P.NAME OF DEFENDANT: FORMER CORRECTION  
OFFICER JEREMY MONK

NAME OF DEFENDANT: QUONDO JOSEPH

DATE OF INCIDENT: 7-16-2020 - 4-16-2021,  
TO PRESENT DATEPLACE OF INCIDENT: MDC BROOKLYN units  
71, 53, 43, 42, SHU TO W.F.P. C2 NARR  
2nd ELSEWHERE SOCIAL MEDIA ETC.

DID YOU FILE A GRIEVANCE? YES

PAGE: 2 OF 3, COVER LETTER BIVENS ACTIONS

verbally over the phone and in person.

what was the outcome? an investigation ensued and as a result defendants Jeremy moran, and quondo joseph were arrested, charged and convicted for bribing Plaintiff

what injuries did you sustain? internal bleeding, hemorrhoids, migraines, flashbacks, PTSD, humiliation, and defamation of character, lost of sleep, night mares and a case of paranoia. Scar tissue in the rectum

what did medical treatment do? Prescribe PreP-H-antiment, Albutrophen and therapeutic counseling from Psychology to no avail

what are you seeking for your injuries/damages? Compensatory and Punitive damages to ward 150,000,000 in total in their individual and official capacity. COMPASSIONATE RELEASE  
Page 2 of 3, COVER LETTER BIVENS ACTION



18 U.S.C. § 3582 (c) (2), U.S.S.C. 1B1.13  
(b) (6) other: "VICTIM OF ABUSE"  
Relocate him and family.

James Ray Tor  
James Ray Tor  
#33576-058  
U.S.P. Carlson  
P.O. Box 300  
Waymart, PA 18472

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

JAMES BAXTON  
Plaintiff

- Against -

UNITED STATES,  
Federal Bureau of Prisons  
John/Jane Doe Director  
of Federal Bureau of Prisons,  
Former correction officers  
Jeremy Monx, Quondo Joseph  
ET AL.

Defendants

AMENDED

42 U.S.C. 1983

24-CV-1925 (LTS)

TRANSFER ORDER  
RENAMED: BIVENS  
ACTIONS 28 U.S.C.  
§ 1331(2)

Plaintiff James Baxton, Pro Se litigant respectfully move to ask this honorable court to allow him to file this amended BIVENS ACTIONS 28 U.S.C. § 1331(2) with this court. In addition Plaintiff James Baxton respectfully ask this honorable court to file this amended complaint as timely filed as the original 42 U.S.C. § 1983 was filed in a timely manner see 24-CV-1925 (LTS) TRANSFER ORDER that was electronically filed in this court.

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## Cause of Action Claim

Plaintiff James Baxton claim that the "Cause of Action" stem from the UNITED STATES Government along with it's employees Federal Bureau of Prisons; the Director of Federal Bureau of Prisons John/Jane Doe, and former Correction Officer's Jeremy Monk, and Guard Joseph who worked and acted purportedly under federal law while at the Metropolitan Detention Center Brooklyn [Hereinafter MDC Brooklyn] did afflict cruel and unusual Punishment on Plaintiff Baxton while he was an inmate detained at MDC Brooklyn's unit 71, 53, 43, 42 Etc. From about 7-16-2020, through out 4-10-2021, and to date their cruel and unusual Punishment in violation of his 8th amendment under the UNITED STATES CONSTITUTION continues to date/present



2) Plaintiff Baxton, contends that upon admission at MDC Brooklyn that he was issued a rule book that outlined in pertinent part that he is to follow all directions ordered/given and instructed by staff and upon signing this receipt acknowledging his receiving the rule book(s) he entered into a contract that binded him to abide by all instructions issued by a staff member at MDC Brooklyn which he did on 7-16-2020 in unit 71 where then correction officer Jeremy Munn handed Plaintiff Baxton three balloons of drugs (marijuana) that contained at least four ounces of marijuana and demanded that Plaintiff Baxton have his ex girlfriend pay him Jeremy Munn \$4,000.00 and then threatened Plaintiff when he said "Don't try anything foul. I know where your family live and I know

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everything about you." Jeremy Monn also threatened Plaintiff Baxton when he ordered him to "stuff this up your ass. If you get caught with this your ass is mines". Plaintiff Baxton made a verbal objection when he said in reply "I can't stuff this up my ass. I don't be doing that, and I don't want to do this because I'm innocent of the crime I'm wrongfully convicted of and got 20 years for". Jeremy Monn said "you heard me, get caught with my shit and that's your ass". Plaintiff took the implied threat as if he would be raped by Jeremy Monn if he didn't comply with his direct order which violated Plaintiff's U.S.C.A. 8th rights. Plaintiff complied and got Jeremy Monn his \$4,000.

3) Plaintiff Baxton contends that Jeremy Monn collected his \$4,000.00  
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and then brought plaintiff more contraband that is more ounces of marijuana, with suboxins, tobacco, and thumb size and ID. size cell phones in which he ordered plaintiff to "stuff up your ass". Plaintiff protested when he said "I can't keep on doing this, it's causing me internal bleeding and hemorrhoids and I'm too embarrassed to complain to medical because I don't want them thinking I was getting fucked". Jeremy Monn laughed and walked away leaving Plaintiff in pain.

4) On 12-5-2020 while in MDC Brooklyn Unit 42 guard Joseph A. Corcoran placed a note on Plaintiff's cell window that read "you're getting a cell search". Some time afterwards guard Joseph opens Plaintiff's cell door and hands him a bed roll.

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without Plaintiff's knowledge of why he was given a blanket, sheets etc. when he already had a bed roll. without question Plaintiff tossed the bed roll on to his bed, and soon thereafter after Supervising Investigating Staffs Portnoy and Livingston entered unit 42 and began their trek up their stairs towards Plaintiff's cell. Plaintiff went to lie down; and in order to, he had to unravel the bed roll and that's when contraband fell out. This was marijuana, Suboxone, tobacco and phones in which Plaintiff began to flush down the toilet. S.I.S. Portnoy, and S.I.S. Livingston, opened Plaintiff's cell door and pulled him out. S.I.S. Livingston entered, and discovered one of the new cell phones delivered by C.O. Joseph. Plaintiff Baxton was escorted the Special Housing unit and while enroute

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C.O. Joseph asked "Do you need me to help you with this stupid nigger?" "NO" S.I.S. Portney said in reply

5) while in S.H.U. Plaintiff contacted via phone someone up in the regional or central office and filed a verbal complaint against corrupt officers Jeremy Monk and Quondo Joseph who bribed, coerced and threatened Plaintiff to either sell, smuggle and secrete their contraband while in MDC Brooklyn against Plaintiff's agreement; and how C.O. Quondo Joseph set Plaintiff up with contraband.

6) Someone from the office made a visit to see Plaintiff at MDC Brooklyn. He was Caucasian in a suit, and he was with Captain White, S.I.S. Portney and S.I.S. Livingston. Plaintiff explained all the abuse that C.O. Monk & Joseph of 14, BIVENS (42 U.S.C. § 1331(2))



and C.O. Joseph afflicted on his person an investigation ensued.

While in unit 43, C.O. Joseph wrote Plaintiff a note indicating that Plaintiff owe him \$12,000.00 and after this their dealings were over. Plaintiff turned this evidence over to S.I.S. Portney to adduce merit to his claims of abuse being afflicted upon him by these corrupt officer's

8) While in unit 42 Jeremy Monn stated to Plaintiff "I heard you received a visit from a white guy in a suit?" Shortly afterwards C.O. Monn, and C.O. Joseph labeled Plaintiff a snitch/rat, and placed a hit out on Plaintiff's life. Inmate Guerra, on 2-12-2021 attempted to take the hit out on Plaintiff's life when he said "snitch" to Plaintiff. Plaintiff in response slapped

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Guerra about 18 times in the face and once in Plaintiff's cell. Guerra crawled under Plaintiff's bed. The on duty C.O. intervened and escorted Plaintiff to the S.H.U.

9) Plaintiff was then placed on heightened security status due to these officers taking him a snitch and for placing a hit on his life. On about 4-10-2021 Plaintiff was transferred.

10) On about 2022/2023 defendants Monx, and Joseph were arrested and after pleading guilty to taking Plaintiff they were corrected.

11) Plaintiff contends that someone via Gronda Joseph and Jeremy Monx released their P3R which states "Inmate #1 Crown reported their illegal activities to S.I.S. Portray". Page: 9 of 14, BIVENS ACTIONS 28 U.S.C. § 1331 (2)



This was spitefully done to have Plaintiff issued a snitch/rat in which thousands of viewers of the PSR on social media did issue Plaintiff's mugshot with statements and rodent pictures all over Plaintiff's face who A.K.A. IS GROWN...

10) On 2-15-2024 at U.S.P. Canaan's, S.H.U. S.I.S. Baynart and Turner did show Plaintiff the P.S.R. of Orlando Joseph's and all the social media posts. In addition they revealed countless of e-mails being exchanged through out the FROP by inmates speaking about Plaintiff being a snitch/rat, and how they the S.I.S. claim Plaintiff's life is now in danger by not only inmates but also by officer's who don't know the fact that Plaintiff got their co-workers locked up. Plaintiff explained "I never told on any inmates, I only reported their abuse on

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me in which I got a right to redress"

13) Plaintiff Rylon claim that as an inmate being detained in MDC Brooklyn as ordered by the UNITED STATES Government Federal Bureau of Prisons and overseered by the Federally employed correction officers he had a Constitutional 8th amendment Right to be Protected by these employees, and from cruel and unusual Punishment. Instead he was abused by Federally employed correction officers Jeremy Munn and guards Joseph who operated under the direction of the Director John/Jane Doe of the FBOP, and the U.S.

This satisfies this reason for Cause of action that commenced this BIVENS ACTIONS 28 U.S.C. § 1331(2) which also satisfies the jurisdiction Page: 11 of 14 BIVENS ACTIONS 28 U.S.C. 1331(2)



Prong since this case of action did occur in the NDC Brooklyn Eastern District of New York.

What injuries did you sustain as a result of this incident?

I, Plaintiff, Baxton sustained internal bleeding, hemorrhoids, migraines, Post Traumatic stress Disorder, loss of sleep, nightmares, flash backs. Scarred rectum tissue. Deformation/humiliation

What medical attention did you receive?

I, out of fear of retaliation and humiliation Plaintiff kept a lot of this injury to himself and when he did report hemorrhoids he was given Pre-p-H ointment and ordered to purchase his own from Canteen. He does receive Psychological Therapeutic Counseling to no avail

Plaintiff also receive TRUPROPHEN.  
For your Damages what do you  
relief seek?

1) Plaintiff Baxton seek compensatory damages be compensated him from all defendant's in their individual and official capacity a total sum of one hundred million dollars U.S. Currency \$ 100,000,000.00 for his injuries and for future injuries

2) Plaintiff request he be granted by defendant's Compassionate Release immediately while this Complaint is pending for this Complaint is laden with "victim of Abuse" and extra ordinary Compelling Reasons which is required under 18 U.S.C. § 3582 (c)(3), U.S.S.C. 181.13 (b)(6)

3) Plaintiff request that he be compensated fifty million dollars for Punitive damages from the named defendants in their  
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individual and official capacity for the injuries they caused and for Plaintiff to defray the cost to relocate him, and his family that's also in danger because of defendants threats on their life.

4) Plaintiff request that the defendants turn over all investigation reports / video footage that's apropos to Plaintiff and defendants Jeremy Monx, Quondo Joseph, S.I.S. Portney investigation regarding this matter so Plaintiff can adduce merit to his claim. He want all reports / videos, PSE, Phone calls, texts turned over to The Court's Honorable Judge that's Presiding over this case to bare witness to plaintiffs claims of abuse.

SWORN AFFIDAVIT / AFFIRMATION

I James Baxton do solemnly  
swear under the penalties  
of perjury that all that's  
stated the 42 U.S.C. 1983 / BIVENS  
ACTIONS CIVIL Complaint is true  
and correct to my belief  
and I am willing to attest  
to this under oath in a  
court and under the pen-  
alty of Perjury

Respectfully  
Submitted

James Baxton  
James Baxton

Date: ~~4-25~~ 2024

335 76-058

U.S.P. 022222

P.O. Box 304

Way Mart PA 18472



"Certificate of Service"

I Plaintiff James Baxton do hereby certify that I did place an amended 42 U.S.C. 1983 BIVENS 28 U.S.C. § 1331(2) Action in a self addressed and stamped manila envelope to be certified mail to the Eastern District Court of New York Theodore Roosevelt UNITED STATES COURT HOUSE 225 CADMAN PLAZA EAST, ROOM 1185 BROOKLYN NY, 11201-1818, on 4-15-2024 via the Counselor in USPC 22222 Sitt. v. To be mailed via legal mail

Date: 4-15-2024

James Baxton  
JAMES BAXTON  
#33576-058

U.S.P. 22222

P.O. Box 300

Weymouth, PA 18472



MR. BAXTON, J#33576-058  
USPCANAAN  
PO, Box 300  
WAYMART, PA 18472



ATTN: PRO SE OFFICE  
CLERK OF U.S. DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
225 CADMAN PLAZA EAST, ROOM 1185  
BROOKLYN NY 11201-1818

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LEGAL MAIL

